



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: SHOJI
Serial No.: 09/370,326
Filed: August 9, 1999

For: SOLDER BALL ARRAY FABRICATED ON AN INSULATING ...

Group: 2811

Examiner: Parekh

DOCKET:
NEC N99-1019 CON

10/Pre-Response
G. Stanley
PRECEIVED
JAN 25 2001
TECHNOLOGY CENTER 2800

The Assistant Commissioner of Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

In the Final Action mailed October 23, 2000 in the parent application, all of the claims were rejected under 35 USC 103 (a)¹ as obvious from Shoji, U.S. Patent 6,054,171, in view of the admitted prior art and Okimura. The Shoji patent and the subject application are commonly owned. The Shoji patent lists NEC corporation as assignee on its face. An assignment to NEC corporation of the subject application was recorded on August 9, 1999 at Reel 10162, Frame 0812.

In view of the common ownership as above established, the recent change to 35 USC § 103(c), and with the refiling of this application as a CPA, the Shoji '171 patent is

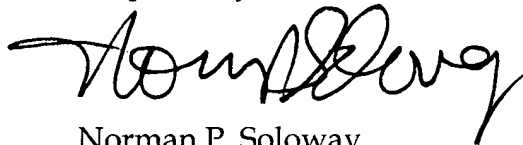
¹ It is believed the rejection properly should have been under 35USC 103(c).

disqualified as prior art in this case. (See, MPEP 706.01 (I) (1). Thus, the rejection of the claims cannot be maintained.

Having dealt with all the objections raised by the Examiner, it is believed that the application now is in order for allowance. Early and favorable action is respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicant
Reg. No. 24,315

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I hereby certify that this paper and the papers listed thereon are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, DC 20231.

Signature of Person Mailing Kristine Stevens
Name of Person Mailing Kristine Stevens

cb